

BILL ANALYSIS

H.B. 2142
By: Kacal
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the scope of the affirmative defense to prosecution for operating a vehicle over the maximum allowable weight is too narrow. H.B. 2142 seeks to address this issue by expanding this affirmative defense to include certain vehicles loaded with livestock feed, grain, or grain by-products.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2142 amends the Transportation Code to include livestock feed, grain, and grain by-products among the cargo with which certain oversize or overweight vehicles may be loaded that constitutes an affirmative defense to prosecution of, or an action under statutory provisions relating to commercial motor vehicles for, the offense of operating a vehicle with a single axle weight or tandem axle weight heavier than the axle weight authorized by law.

EFFECTIVE DATE

September 1, 2017.